

Order

Michigan Supreme Court
Lansing, Michigan

April 3, 2015

Robert P. Young, Jr.,
Chief Justice

150728

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 150728
COA: 315983
Muskegon CC: 12-062643-FH

MAURICE DANTE HENDERSON,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the November 6, 2014 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE that part of the Court of Appeals judgment holding that the May 3, 2012 letter from the Michigan Department of Corrections to the prosecutor was sufficient to trigger start of the 180-day period set forth in MCL 780.131. At the time that letter was sent, the Department did not have notice of any pending untried warrant, indictment, information, or complaint against the defendant, and the letter therefore did not meet the statutory requirements for applying the 180-day rule. We REMAND this case to the Court of Appeals for consideration of the Muskegon Circuit Court's finding of a second 180-day rule violation that the Court of Appeals declined to address.

We do not retain jurisdiction.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 3, 2015


Clerk